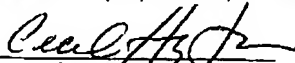


AUG 20 2004

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, MS RCE, facsimile no. (703) 872-9308, on the date shown below.

Dated: August 20, 2004

Signature:

  
(Cecilia Huerta)**OFFICIAL**Docket No.: 564462006100  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Walter CALLEN et al.

Application No.: 10/081,872

Filed: February 21, 2002

Art Unit: 1652

For: ENZYMES HAVING ALPHA AMYLASE  
ACTIVITY AND METHODS OF USE  
THEREOF

Examiner: R. Prouty

**RESPONSE AND AMENDMENT UNDER U.S.C. § 1.114**

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Response and Amendment is being filed herewith further to a Request for Continued Examination under 37 C.F.R. § 1.114 based on U.S. Application No. 10/081,872, filed February 21, 2002. This is responsive to the final Office Action mailed May 20, 2004, setting a time for responding of August 20, 2004. Accordingly, this Response is timely filed. Applicants respectfully request entry of the amendments and consideration of the remarks set forth herein. Reconsideration is respectfully requested.

Amendments to the Specification begin on page 3 of this paper.

Amendment to the claims are reflected in the listing of claims which begin on page 7 of this paper.

Remarks begin on page 17 of this paper.

The following documents are also enclosed herewith:

- RCE Transmittal letter; Fee Transmittal

sd-215892

Application No.: 10/081,872

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Docket No.: 564462006100

- Exhibit A (Current Protocols in Molecular Biology 2.10.8 (Supp. 66, April 2004));
- Exhibit B: Example 9 of the Written Description Guidelines;
- Exhibit C: alignment of gi|2251107:452-1837 Pyrococcus (Tachibana) with present SEQ ID NO:125;
- Exhibit D: alignment of gi|2251108|dbj|BAA21130.1| alp (Tachibana) with present SEQ ID NO:126;
- Rule 132 expert declaration by Dr. Short, with curriculum vitae.

sd-215892